diction, shall be a court of record. See 1917, HURD'S REV. STAT. ILL., Art. 6, § 18. Furthermore, in the matter of admitting to probate wills involving realty, Illinois has held that the county court decision is final and not subject to collateral attack. *James White Memorial Home* v. *Price*, 195 Ill. 279, 62 N. E. 872. *Keister* v. *Keister*, 178 Ill. 103, 52 N. E. 946. Then logically in intestate succession the county court decree should be as binding as in testate succession, for if one is a probate matter, the other also is probate. The decree of the court for probate matters on a probate question should then be binding on an equity court in a collateral attack. *Stone* v. *Wood*, 16 Ill. 177; *Hanna* v. *Yocum*, 17 Ill. 77; *Lynch* v. *Baxter*, 4 Tex. 431; *Klingensmith* v. *Bean*, 2 Watts (Pa.), 486; *State* v. *McGlynn*, 20 Cal. 233. And as the county court judgment was given in proceedings with due service according to the Illinois statute, it should be binding on the world as probate proceedings are *in rem*. *Mulcahey* v. *Dow*, 131 Cal. 73, 63 Pac. 158; *Greenwood* v. *Murray*, 26 Minn. 259, 2 N. W. 945; *Fry* v. *Taylor*, 1 Head (Tenn.), 594; *State* v. *McGlynn*, 20 Cal. 233; *Liginger* v. *Field*, 78 Wis. 367, 47 N. W. 613. Hence the case seems to be a remnant of the common-law view of intestate succession and therefore wrong.

BILLS AND NOTES — CHECKS — NEGLIGENCE OF DRAWER — YOUNG *VERSUS* GROTE. — The plaintiff's confidential clerk, whose duty it was to prepare checks for signature, presented a check blank as to words of amount but having "£2. 0. 0" in the space provided for figures. The plaintiff signed. The clerk subsequently wrote "one hundred and twenty pounds" in the space provided for words, inserted "1" and "0" on either side of the "2", cashed the check for £120 with the drawee bank, and absconded. The plaintiff sues the bank for the amount charged to his account less £2. In the Court of Appeal it was held he could recover. The case was subsequently carried to the House of Lords on appeal. *Held*, he could not recover. *London Joint Stock Bank, Ltd.*, v. *Macmillan*, 145 L. T. 163.

For discussion of this case see 31 HARV. L. REV. 779, with which the final decision is in harmony.

CONSTITUTIONAL LAW — ADVISORY OPINIONS — APPEALS. — The Workmen's Compensation Act authorizes the Industrial Commission to certify to the Appellate Division of the Supreme Court "questions of law involved in its decision." The Commission certified a question as to the validity of certain rules it proposed to promulgate. Certain employers were allowed to appear and file briefs as *amici curiae*. The Appellate Division answered the question in favor of validity. The interveners appealed to the Court of Appeals. *Held*, appeal dismissed for want of jurisdiction. *In re Workmen's Compensation Fund*, 119 N. E. 1027 (N. Y.).

In the absence of a constitutional provision, a statute requiring the judiciary to render advisory opinions at the request of the other departments is held unconstitutional, because it imposes duties not properly judicial. *Rice* v. *Austin*, 19 Minn. 103; *State* v. *Baughman*, 38 Ohio St. 455. Even where the Constitution requires opinions, it is generally held that the advisory opinion has not the quality of judicial authority. See *Taylor & Co.* v. *Place*, 4 R. I. 324, 362; *Laughlin* v. *Portland*, 111 Me. 486, 497, 90 Atl. 318, 323; *Opinion of the Justices*, 126 Mass. 557, 566. See also J. B. THAYER, "American Doctrine of Constitutional Law," 7 HARV. L. REV. 129, 153; H. A. DUBUQUE, "The Duty of Judges as Constitutional Advisers," 24 AM. L. REV. 369, 374, 375. But see *contra*, *In re Senate Resolution*, 12 Colo. 466, 467, 21 Pac. 478, 479. In the principal case, advisory opinions were not required by the Constitution or by the statute, which was construed to authorize the Industrial Commission to certify on questions arising only out of litigated con-